

## REMARKS

### INTRODUCTION

In accordance with the foregoing, no claims have been amended. Claims 10-12, 14-16 and 18 are pending and under consideration.

### CLAIM REJECTIONS

Claims 10-12, 14-16 and 18 were rejected under 35 USC 102(b) as being anticipated by Kuroda et al. (US 6,144,625) (hereinafter "Kuroda").

#### Claims 10-16 and 18

Claim 10 recites: "...an LPP signal detector that detects a certain voltage level in the push-pull signal immediately after the servo controller enables tracking..." In the Office Action, in the "Response to Arguments" section, the Examiner notes that Figure 6 and 11:29-11:34 of Kuroda clearly show this feature of claim 10.

Referring to 11:29-11:34 of Kuroda, at step S5, the CPU 9 determines whether a digital value indicating an amplitude level of a push-pull signal fed from the A/D converter 11 is higher than a predetermined value (reference value A). If the digital value is higher than the reference value A, the program transfers to step S11. At step S11, a switch closing signal is supplied to the switch 4 to render the tracking servo loop to be in a closed condition. In this way, the tracking servo loop is formed so as to perform a tracking control in accordance with the push-pull error signal supplied from the regenerative amplifier 7.

By contrast, claim 10 recites detecting a certain voltage level in the push-pull signal **immediately after** the servo controller enables tracking rather than in Kuroda where CPU 9 determines an amplitude level of a push-pull signal **before** transferring to step S11 where the tracking servo loop is placed in a closed condition.

This technical feature of claim 10 provides that operational conditions of a disc drive can be set in the early stage of the disc driving period, which reduces lead-in time of a disc.

By contrast, in Kuroda, at step S28, it is determined whether an error has been detected when performing decoding process in the prepit signal decoder 14. If an error can not be detected, the program transfers to step S23 in which the CPU 9 determines that the optical disc D is a DVD-R, or at step S28 if it is determined that an error was detected when performing decoding process in the prepit signal decoder 14, the program transfers to step 29 at which the

CPU 9 determines whether the detected error can be corrected in accordance with the prepit signal format of a DVD-R. If it is determined that the detected error can be corrected in accordance with the prepit signal format of a DVD-R, it may be determined that the optical disc is a DVD-R. See Kuroda, 11:61-12:8 and Figure 6.

Claims 11, 12, 14-16 and 18 depend on claim 10 and are therefore believed to be allowable for at least the foregoing reasons.

Withdrawal of the foregoing rejection is requested.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
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